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AUG 11 2010

OFFICE OF PETITIONS

In re Application of :
Joseph R. Pacione :
Application No. 09/822,433 : DECISION ON PETITION
Filed: April 2, 2001 :
Attorney Docket No. 52498/39 :

This is a decision on the petition under 37 CFR 1.59(b), filed February 5, 2010, to expunge information from the above identified application.

The petition is **granted**.

Petitioner requests that the seven papers filed February 4, 2010, be expunged from the record. The petition indicates specifically what papers were filed on that date. Petitioner states that the papers filed were erroneously submitted and do not belong to this application. The petition fee set forth in 37 CFR 1.17(g) has been paid.

The papers in question have been determined by the undersigned to not be material to the examination of the instant application. The papers were clearly meant for another, application.

The expunged material has been removed from the official file.

The petition also requests refund of any fees charged to the instant application on February 4, 2010. The record shows a $1,110.00 fee for extension of time which was not meant for this application and is being refunded to petitioner's deposit account as authorized in the petition.

Telephone inquiries concerning this communication should be directed to Carl Friedman at (571) 272-6842.

Carl Friedman
Petitions Examiner
Office of Petitions